

REMARKS

Claims 1-35 are pending in the application. Claims 1-35 stand rejected. The Applicant respectfully requests consideration of the following remarks and allowance of the claims.

Claims 1-6, 9-23, and 26-35 stand rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,091,953 (Ho) in view of U.S. Patent No. 5,870,459 (Phillips). The Applicant respectfully traverses the rejection in light of the following discussion.

Independent claim 1 recites:

A communication system for providing temporary wireless telephone numbers, the system comprising:

a first switching system configured to automatically receive a registration request from a wireless call device without an assigned telephone number when the wireless call device is powered on, and process the registration request to generate a registration message; and

a service control point configured to receive the registration message, process the registration message to determine if the wireless call device is subscribed to a temporary wireless number service, and responsive to determining that the wireless call device is subscribed to the temporary wireless number service, process the registration message to automatically assign a temporary wireless telephone number to the wireless call device and generate and provide a registration response message to the first switching system that includes the temporary wireless telephone number.

Ho and Phillips, separately and in combination, do not teach all the limitations of claim 1. Specifically, claim 1 recites assigning a temporary wireless telephone number to a wireless call device. Both Ho and Phillips fail to teach assigning a temporary wireless telephone number to a wireless call device.

Phillips discloses a telephone that receives a directory number during activation upon acquisition (sale, lease, or give-away) (Phillips, col. 13, lines 15-19 and 65-67). This directory number is used to make and receive calls for a predetermined period of time (Phillips, col. 14, lines 11-36). When the directory number expires, the telephone can only be used to make calls *until it is returned for refurbishment* (Phillips, col. 13, lines 19-33; col. 14, lines 19-36). Thus, only one directory number is assigned per acquisition, and a user must return the telephone and acquire another one in order for another directory number to be assigned. Effectively, the directory number assigned during activation in Phillips is *permanent for the life of the telephone*, not temporary as required by claim 1. The telephone only receives a new directory number upon

refurbishment and a new acquisition.

Ho discloses the assignment of a Temporary Mobile Subscriber Identity (TMSI) to a mobile unit. The TMSI in Ho is not a temporary wireless telephone number as required by claim 1. Rather, the TMSI in Ho is a temporary identification number (Ho, col. 6, lines 27-30). The TMSI is a randomly allocated number that is assigned to a mobile unit to identify the mobile unit while it is within a specific geographic location. The TMSI of the mobile unit can be changed by the network at anytime and is updated each time the mobile unit enters a new geographic area. The TMSI in Ho is not a regular 10-digit telephone number. It cannot be used to call the mobile unit from another telephone.

In contrast, the temporary wireless telephone number recited by claim 1 is a “wireless telephone number... used to provide the temporary wireless service to wireless call devices” (Current Application, p. 4, lines 5-7). For example, a mobile identification number is assigned to a wireless call device (Current Application, p. 9, lines 12-13). It is well known to those skilled in the art that a mobile identification number is a unique 10-digit telephone number assigned to a cellular telephone. The TMSI in Ho is not a 10-digit mobile identification number.

Further, Ho and Phillips do not disclose an SCP configured to determine if the wireless call device is subscribed to a temporary wireless number service. In the Response to Arguments in the final Office Action, the Examiner asserts that processing a registration message to determine if a wireless call device is subscribed to a temporary wireless number service is obvious (OA, p. 9, first paragraph). The Applicant respectfully disagrees with this assertion because a subscription to a temporary wireless number service is precisely what makes claim 1 non-obvious.

Phillips discloses a temporary (recyclable) telephone, not a permanent phone subscribed to a temporary wireless telephone number service which assigns a temporary wireless telephone number upon request. The telephone in Phillips does not receive a temporary number, but the telephone itself is temporary. In contrast, the wireless call device in claim 1 is assigned a temporary wireless telephone number upon request if it is subscribed to a temporary wireless telephone number service.

Moreover, there is no suggestion to combine the teachings of Ho and Phillips, as advanced by the Examiner, except from using claim 1 as a template for hindsight reconstruction. Further, the combination of Ho and Phillips does not render an operable invention, and thus, it

does not make sense to combine the two references.

The Examiner admits that Ho does not teach a wireless call device originally without an assigned telephone number. However, combining Phillips and Ho by substituting the directory number in Phillips for the TMSI in Ho would render the mobile unit in Ho inoperable. In particular, if the directory number in Phillips was provided to the mobile unit in Ho upon powering up, the mobile unit would only have an inoperable directory number with no way to route messages to and from the mobile unit (Ho, col. 6, lines 25-49; col. 7, lines 57-65; col. 8, lines 32-57).

Additionally, the Examiner has not provided any reasoning as to why Ho should/would be combined with Phillips other than offering a conclusory statement that relies upon improper hindsight reasoning. In particular, the Examiner suggests that Ho and Phillips should be combined to expedite the process of registering a call device. This is improper hindsight reasoning and the rejection should be withdrawn accordingly.

Ho and Phillips, separately and in combination, fail to disclose, teach, or suggest all the elements of claim 1. Claim 1 is therefore allowable over Ho in view of Phillips.

The remaining independent claims contain limitations similar to those of claim 1 and are therefore allowable over the art of record. Applicant refrains from a discussion of the dependent claims for the sake of brevity and in view of their dependence from otherwise allowable independent claims.

Claims 7, 8, 24, and 25 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Ho and Phillips in view of EP 0986237 (Alho). A discussion of this rejection is obviated in view of the discussion above distinguishing Ho in view of Phillips.

CONCLUSION

The claims in their present form are allowable over the art of record. The Applicant therefore respectfully requests allowance of the claims.

The Applicant believes no fees are due with respect to this filing. However, should the Office determine fees are necessary, the Office is hereby authorized to charge Deposit Account No. 21-0765.

Respectfully submitted,

/Shannon L. Silversmith/

SIGNATURE OF PRACTITIONER

Shannon L. Silversmith, Reg. No. 60,938
Setter Roche LLP
Telephone: (720) 562-2280

Correspondence address:

CUSTOMER NO. 28004

Attn: Melissa A. Jobe
Sprint Law Department
6450 Sprint Parkway
Mailstop: KSOPHN0312-3A461
Overland Park, KS 66251